

REMARKS

Claims 27-32 are pending in the application. Claims 2-14 and 33-35 have been withdrawn from consideration at this time. Claims 27 and 29-32 stand rejected, and Claim 28 has been objected to on the grounds of dependence from a rejected base claim.

Claims 27 and 32 stand rejected under 35 U.S.C. §102(a) as being anticipated by Tanaka et al (US 2003/0156045A1). The Examiner states that, regarding Claim 27, Tanaka is directed to a system/method for controlling an automotive vehicle including a shift lever having reverse position generating a reverse position signal, and an ECU which acts as a controller and applies automatic steering and automatic braking when a parking assist control is on. The Examiner cites Tanaka at page 6, paragraph 0072 and at paragraph 0069, lines 1-6. Applicants respectfully traverse this rejection and request that Claims 27 and 32 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

As set forth in Applicants' Claim 27, a vehicle includes a shift lever having a reverse position generating a reverse position signal, and a controller, coupled to the shift lever, with the controller applying brake-steer in response to the reverse position signal. According to Claim 32, a vehicle further includes a steering wheel angle sensor generating a steering wheel angle signal, with the controller being programmed to apply brake-steer in response to the reverse directional signal and steering wheel angle signal.

In contrast to Applicants' claimed device, Tanaka discloses a system for automatic steering. Thus, at paragraph 0032, at lines 4-7, Tanaka states:

"The automatic steering means 6 is provided with an actuator for steering a steering wheel of the vehicle, and receives a control signal from the parking assist ECU 2 to steer the steering wheel."

Further, at paragraph 0057, at lines 1-5, Tanaka states:

"When the parking assist is started, the automatic steering means 6 is activated, which enables the driver to execute the parking operation with the parking assist by adjusting a vehicle speed as required, without operating the steering."

In other words, what Tanaka teaches is use of a device which automatically controls the position of the steering wheel and the attached steering gear and road wheels. Tanaka is bereft of any teaching or suggestion regarding brake-steer. Tanaka only teaches the use of a device controlling the steering wheel and the road wheels to which the steering wheel is attached. As a result, Tanaka cannot comprise a colorable basis for the rejection of Claims 27 and 32 pursuant to 37 U.S.C. §102(a), because Tanaka clearly lacks anything to do with brake-steer. As a result, Claims 27 and 32 should be passed to issue over the Examiner's rejection. Such action is earnestly solicited.

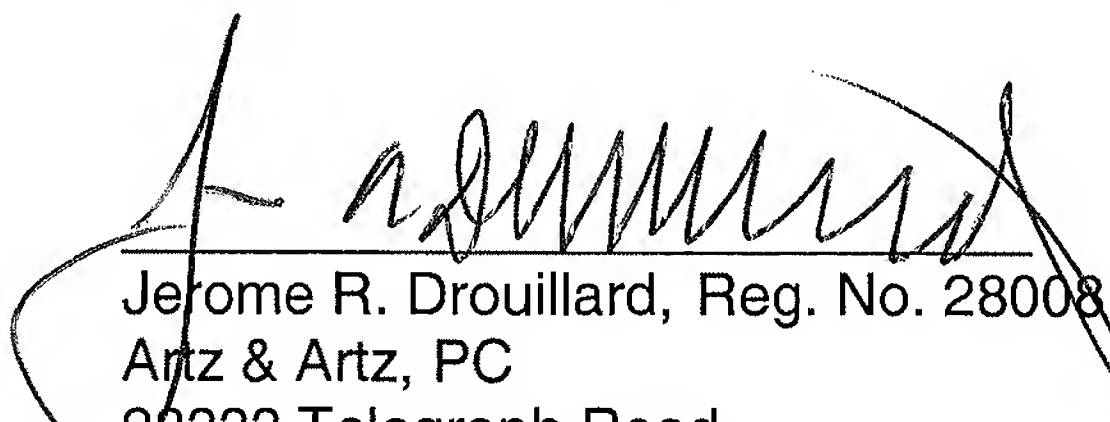
Claims 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka in view of Ritz (2002/0006013A1). The Examiner states that Ritz has been cited to teach a vehicle equipped with brake-steer for helping steer wheels on the inside of a curve. The Examiner argues that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system/method as taught by Tanaka et al to include the teachings of Ritz. The Examiner applies this combination to each of Claims 29-31. Applicants respectfully traverse this rejection and request that each of Claims 29-31 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

Applicants respectfully submit that neither Tanaka, nor Ritz, whether taken singly, or in combination with each other, either teach or suggest Applicants' claimed invention as set forth in Claims 29-31. As noted above, Applicants' claimed invention deals with a system for using sensing of reverse position of a shift lever and for applying brake-steer. As noted above, Tanaka deals with a system for controlling the position of road wheels and discloses nothing regarding brake-steer. On the other hand, Ritz discloses brake-steer, but in the context of a system in which the road wheels are positioned manually. The Examiner's attention is drawn to Tanaka's abstract, in which it is stated:

"A steering system which has a manual steering device, at which a driver can set a steering angle for steerable wheels."

Because Tanaka deals with automatic positioning of the road wheels, and because Ritz deals with manually positioning road wheels, there is no incentive for anyone to combine the teachings of Tanaka and Ritz, and as a result, these references are simply not properly combined. Moreover, Ritz teaches the use of brake-steer as a function of vehicle velocity and steering wheel angle, and not as a function of the position of a gear shift lever. As a result, there would be no reason for anyone to combine the teachings of Tanaka and Ritz, and Claims 29-31 are clearly allowable over Tanaka and Ritz and should be passed to issue over the Examiner's rejection. Such action is earnestly solicited.

Respectfully submitted,



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